

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

**RICHARD E. NORMAN,**  
**Plaintiff,**

**vs.**

**MICHAEL J. ASTRUE,<sup>1</sup>**  
**Commissioner of the**  
**Social Security Administration,**  
**Defendant.**

**No. CIV-06-0114-F**

**Order**

The above-matter comes before me to consider Norman's Application for Attorney's Fees to be Awarded in Accordance with the Equal Access to Justice Act . (*Dkt. No.* 26). Norman submits that he is entitled to an award of fees under the EAJA provisions, 28 U.S.C. §2412. He requests an award of attorney's fees in the amount of \$3,977.20 for 26.8 attorney and paralegal hours expended in this case. He also requests that this amount to be paid directly to his attorneys in accordance with the terms of the fee contract. The Commissioner has responded to the request by stating that he has no objection to the award.

After consideration of the law, the record, and the arguments of the parties, and there being no objection to the application, the Court finds that (1) the Commissioner's position was not substantially justified, that (2) Norman is entitled to attorney fees under the Equal Access to Justice Act, that (3) the requested attorney fees are reasonable, and that (4) the attorney fees should paid directly to the attorneys.

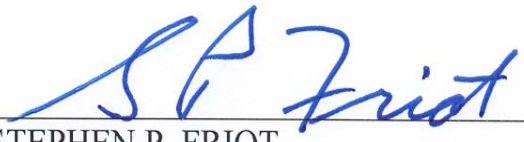
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Michael J. Astrue became the Commissioner of the Social Security Administration on February 1, 2007, replacing Acting Commissioner Linda S. McMahon who replaced Commissioner Jo Anne B. Barnhart on January 19, 2007. Pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, Mr. Astrue is substituted for Commissioner Jo Anne B. Barnhart as Defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

Therefore, the Court orders that Norman be awarded attorney's fees pursuant to the Equal Access to Justice Act in the amount of \$3,977.20 to be made payable directly to Norman's attorneys, Troutman & Troutman, P.C., Tax ID No.73-1487089, who will reimburse to Norman the smaller of either the EAJA award or an subsequent award under 42 U.S.C. § 406(b), should one ultimately be authorized, as required by *Weakley v. Bowen*, 803 F.2d 575, 580 (10th Cir. 1986).

**It is so ordered** this 4<sup>th</sup> day of April, 2007.

  
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STEPHEN P. FRIOT  
UNITED STATES DISTRICT JUDGE

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